

**Town of Sunset Beach
Monthly Council
Work Session, Public Hearing(s) and Regular Meeting
November 6, 2017**

MINUTES

Members Present: Mayor Robert Forrester, Mayor Pro-Tem Carol Scott, Councilman Peter Larkin, Councilman Mark Benton, Councilman John Corbett and Councilman Rich Cerrato

Members absent: None

Attorney & Staff Present: Susan Parker, Town Administrator; Town Attorney Grady Richardson; Bonnie Bray, Finance Director; Kevin Dempsey, Fire Chief; Richard Childres, Deputy Fire Chief; Dustin Graham, Public Works Director; Ken Klamar, Police Chief; Hiram Marziano, Planning Director; Cindi Stephenson, Administrative Assistant; and Lisa Anglin, Town Clerk

Mayor Forrester called the Meeting to order at 6:15 pm.

Closed Session

COUNCILMAN CERRATO MADE A MOTION TO GO INTO CLOSED SESSION TO CONSULT WITH THE TOWN ATTORNEY CONCERNING PENDING LITIGATION CONCERNING THE PROPERTY LOCATED ON THE WEST END OF THE ISLAND AND TO SEEK LEGAL ADVICE CONCERNING THE TWIN LAKES RESTAURANT EASEMENT, EAST END EMERGENCY ACCESS EASEMENT, TO OBTAIN LEGAL ADVICE CONCERNING THE PLANNING BOARD AND TO PERFORM THE TOWN ADMINISTRATOR ANNUAL EVALUATION. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILMAN BENTON MADE A MOTION TO RETURN TO OPEN SESSION AND RECONVENE THE MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately forty-five minutes. No action taken.

Work Session

Mayor Forrester called for agenda amendments and general discussions by the Council.

Fire Department Personnel – Mayor Pro-Tem Scott clarified that her vote to increase the number of full-time fire department personnel was made to reduce the number of part-time fire personnel needed to man both stations.

Memorandum of Understanding (MOU) with the Committee to Honor America's Veterans – Mayor Pro-Tem Scott advised that the New Council will need to review the ceremonies and events held in the Park to determine if it is a Town event or a Committee event so not to violate the terms of the MOU pertaining to Town Staff assistance and participation.

Work Session (Cont.)

Living Shoreline Project – Mayor Pro-Tem Scott advised that the Project, budgeted funds and Capital Budget Ordinance for the Project were approved in order to qualify for the grant but that the Project was not approved to proceed until Council reviewed the costs and awarded the construction contract.

Beach Consortium Meeting – Mayor Pro-Tem Scott advised that the next Meeting is scheduled for November 15, 2017 at 10:00 AM but she is unable to attend. Councilman Benton agreed to attend in her absence.

GSATS – Councilman Corbett attended the October 27th GSATS Meeting and learned that \$1.6 million is available for southeast Brunswick County Projects with application guidelines being released in January 2018.

Trunk or Treat Event – Councilman Benton thanked Police Chief Klamar and Fire Chief Dempsey for organizing and executing a great event.

Meeting Decorum – Mayor Forrester informed those in attendance that he has crafted a Meeting Decorum Policy that he will implement during all Meetings in the future.

Monthly Meeting

The Meeting convened at 7:00 pm and the Pledge of Allegiance was recited by those in attendance.

Approval of the Draft Agenda

The Council reviewed the agenda and made the following amendments:

- Removed the Town Administrator Report
- Added Ethics Policy and Potential Ethics Violation
- Added Security Measures
- Tabled the Appointment of two (2) Planning Board Members to the November 21, 2017 Meeting.

COUNCILMAN CORBETT MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. MAYOR FORRESTER CALLED FOR A VOTE. MAYOR PRO-TEM SCOTT, COUNCILMAN CERRATO, COUNCILMAN LARKIN AND COUNCILMAN CORBETT VOTED YES. COUNCILMAN BENTON VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

2016/2017 Audit Report – Lee Grissom, S. Preston Douglas and Associates, LLC

Lee Grissom, Auditor with S. Preston Douglas and Associates, LLC reviewed the 2016/2017 Audit Report with the Council providing a clean opinion. Mr. Grissom advised that the net position of the Town at June 30, 2017 was \$21,690,004 up significantly from the prior year and the unassigned fund balance was a healthy 81% of general fund expenditures (the target rate is 75%). Mr. Grissom advised that the Town is in “great shape”.

Mayor Forrester showed a listing of the general fund and all of the respective project funds that the Council has adopted showing the balance for each demonstrating that the monies have not been spent but rather transferred to establish the respective funds.

2017 Sunset at Sunset Report – Karen Joseph, Chairperson

Karen Joseph, Chairperson, reported that the 2017 Sunset at Sunset Celebration was the most successful event in its eleven years of existence grossed the most revenue to date. Joseph advised that 123 vendors participated and 18 area businesses either monetarily or in-kind sponsored the event. Joseph thanked the Town Staff and Committee members for hard work and support. Councilman Benton questioned the costs of the Town Staff working to Town Booth as mandated by Council. Councilman Cerrato requested a financial statement.

2017 Beach Season Report – Fire Chief Kevin Dempsey and Deputy Chief Richard Childres

Deputy Chief Childres reported that the 2017 Beach Season was carried out by a temporary staff of 18 that worked from April 14th through September 7th. Childres reported 52 EMS related incidents including 18 surf rescues, 4 of which were major; 12 missing persons and 10 service calls. Childres advised that due to the safety of the Staff, police were called for any altercations. Childres advised that the tent placement in line with the garbage can line worked well, but Staff did report some issues with baby pop-up tents and suggested revisions to the Ordinances. Councilman Benton thanked Staff for a great job this season.

Public Comments on Agenda Items Only

Leonard Lewandoski 554 Medcalf Drive – Questioned how much of the project fund monies was derived from the tax increase.

Carol Santavicca 9109 Forest Drive – Informed the Council that she worked in a non-profit Booth at the Sunset at Sunset this year and they collected the most donations this year.

Kathy Yung 582 Medcalf Drive – Voiced concerns with the time it took Council to getting answers and making decisions concerning the Town Park regulations, types of events and the fee schedule.

Ann Bokelman 404 3rd Street – Voiced support of the revised fee schedule if the established fees are necessary to recover costs.

Ethics Policy and Potential Ethics Violation

Mayor Pro-Tem Scott advised that the Council adopted a Code of Ethics Policy in October 2010 and although a censure procedure was discussed it was not added to the Policy at that time. Mayor Pro-Tem Scott suggested the new Council look at revising the Ethics Policy to include a censure policy. Mayor Pro-Tem Scott stated that in her opinion Councilman Cerrato did violate the Ethics Policy by his actions during the October 17, 2017 Meeting.

Security Measures

Mayor Pro-Tem Scott voiced concerns with the Security Measures enacted by Susan Parker, Town Administrator after the October 17, 2017 incident. Attorney Richardson advised that he has reviewed the documentation and advised the Council that it is her job to ensure a safe working environment for her Staff. Councilman Cerrato requested a listing of the incidents cited by the complaints.

Departmental Reports

Police – Chief Ken Klamar advised that the Trunk or Treat event was a huge success. Klamar reminded the Council that a Drug Drop Box was placed in the Town Hall lobby in July and advised that on

Departmental Reports (Cont.)

Police (Cont.)

October 31, 2017 Staff delivered over 140 pounds of prescription and over-the-counter drugs that has been collected since the box placement in July. Klamar advised that officers will come to the residence to pick-up medications from residents unable to get to Town Hall.

Public Works – Dustin Graham, Public Works Director, informed the Council that culvert repair work will be performed at the intersection of Kings Trail and Kings Court on November 9th and on Shoreline Drive East between Azalea Circle and Hickory Street on November 13th.

Planning & Inspections – Hiram Marziano, Planning Director, advised that the nuisance abatement/code enforcement ordinance is working well and those requested to clean up have done so or called to inform us that its being taken care of except for one person.

Fire – Chief Kevin Dempsey reported that the Department is receiving voice mails from disgruntle residents when the phones are not answered. Dempsey advised that if the phones are not answered it means that Staff is responding to calls and not in the building. Mayor Pro-Tem Scott suggested adding language to the voice mail message advising callers why the phones might not be answered. Dempsey advised the personnel will be performing hydrant testing in Sandpiper Bay, Wyndfall, Capeside and the back of Sea Trail. Dempsey advised that the Fire Station #1 roof repairs begin tomorrow.

Finance – Bonnie Bray, Finance Director, reviewed the September 2017 Financial Report and the first quarter budget transfers with the Council. Bray noted that the Paving Project expenditure will be made in fiscal year 2017/2018 and the assessment revenue will be collected in fiscal year 2018/2019.

Old Business

Consideration of Budget Amendment for Fire Fee Revenue/Personnel

Councilman Benton requested the hiring of the three additional firefighters be tabled until the new Council took office. Mayor Forrester explained that the item before the Council tonight was not the action of hiring additional firefighters as that action was taken during the last Council meeting. The item on the Agenda tonight is a budget amendment for the Fire Fee Revenue and the additional firefighter positions expenditure.

MAYOR PRO-TEM SCOTT MADE A MOTION TO APPROVE THE BUDGET AMENDMENT FOR THE FIRE FEE REVENUE AND ADDITIONAL PERSONNEL. MAYOR FORRESTER CALLED FOR A VOTE. MAYOR PRO-TEM SCOTT, COUNCILMAN LARKIN AND COUNCILMAN CORBETT VOTED YES. COUNCILMAN CERRATO AND COUNCILMAN BENTON VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Adoption of Ordinance Amendment for Chapter 99 Town Park Regulations, Adoption of the Revised 17/18 Fee Schedule, Adoption of the Special Events Policy and the Wedding Policy
MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE ORDINANCE AMENDMENTS FOR CHAPTER 99 TOWN PARK REGULATIONS, ADOPT THE REVISED 17/18 FEE SCHEDULE, ADOPT THE REVISED SPECIAL EVENTS POLICY AND THE REVISED WEDDING POLICY. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Old Business (Cont.)

Consideration of Adoption of Preliminary Assessment Resolution for North Shore Drive Paving Project
COUNCILMAN CORBETT MADE A MOTION TO ADOPT THE PRELIMINARY ASSESSMENT RESOLUTION FOR THE NORTH SHORE DRIVE EXTENSION PAVING PROJECT AND TO SCHEDULE THE PUBLIC HEARING FOR DECEMBER 4, 2017 AT 7:00 PM. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of Preliminary Assessment Resolution for Cobia Street Paving Project
COUNCILMAN CORBETT MADE A MOTION TO ADOPT THE PRELIMINARY ASSESSMENT RESOLUTION FOR THE COBIA STREET PAVING PROJECT AND TO SCHEDULE THE PUBLIC HEARING FOR DECEMBER 4, 2017 AT 7:00 PM. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business

Consideration of Ordinance 93.01 Amendment – Premises to be Kept Clean; Notice of Violation Subsection A

Councilman Benton requested the Ordinance be amended to require the cutting of vegetation on vacant lots three (3) per year instead of two (2) times. After a brief discussion, Staff was directed to research and present a proposal during the December 4, 2017 Meeting.

Consideration of Authorization for Town Clerk to Advertise the Position of ABC Board Member with Term Expiration Date of January 2018

COUNCILMAN CERRATO MADE A MOTION TO AUTHORIZE THE TOWN CLERK TO ADVERTISE THE POSITION OF ABC BOARD MEMBER WITH A TERM EXPIRATION DATE OF JANUARY 2018. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of Brunswick County Sheriff Mutual Aid Agreement Concerning Bird Island
MAYOR PRO-TEM SCOTT MADE A MOTION TO APPROVE THE BRUNSWICK COUNTY SHERIFF MUTUAL AID AGREEMENT CONCERNING BIRD ISLAND. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Review upcoming Agenda Items and Identify New Agenda Items for November 21, 2017 Meeting

The Council reviewed the Disposition of Directives and made the following amendments:

- 11/21/17 Agenda - Appointment of two (2) Planning Board Members
- 11/21/17 Agenda - Consideration of Ordinance 93.01 Amendment – Premises to be Kept Clean; Notice of Violation Subsection A
- 12/04/17 Agenda - Paving Project – North Shore Drive Extension Preliminary Assessment Resolution Public Hearing
- 12/04/17 Agenda - Paving Project – Cobia Street Preliminary Assessment Resolution Public Hearing
- 12/04/17 Agenda – Fire Department Staffing Analysis/Comparison
- Consideration to begin Budget Process in January, 2018

Public Comments

Dave Eastburn 424 32nd Street – Reminded those in attendance to vote tomorrow; thanked the outgoing Council members for their services; thanked the Mayor for his service and encouraged him to maintain decorum of the Meeting.

Dian Robbins 597 Coach Trail – Informed the Council that Police Chief Klamar was the guest speaker for Sea Trail Garden Club Meeting and thanked him for giving an excellent speech, answering questions and reassuring the members that they are safe in Sunset Beach.

Mark Ryan 7543 Dunbar Drive – Advised that he received correspondence from the Police Department advising homeowners to ensure vehicles parked in the driveways are locked and questioned if crime was that bad; Chief Klamar encouraged everyone to always lock their vehicles especially in the off season.

Joe Santavicca 9109 Forest Drive – Advised that any member that gets out of line or makes slanderous or liable comments, if proven to be inaccurate, should be required to apologize to the public.

Gordon Bokelman 404 3rd Street – Thanked the Staff for going above and beyond their duties; encouraged the Council to maintain and encourage the Town Staff.

Adjournment

COUNCILMAN CERRATO MADE A MOTION TO ADJOURN THE NOVEMBER 6, 2017 COUNCIL MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach

Robert Forrester, Mayor

Submitted by:

Lisa Anglin, Town Clerk